

## **Civil Rights Advisory Council**

March 8, 2006

Meeting Minutes

**Members Present:** Christine Kaufmann, Chair; Dorothy Eck; June Hermanson; Jessie James-Hawley; Marilyn Kramer

**Members Absent:** Murray Pierce; Katie Stevens

**Staff Present:** Margaret MacDonald, Kathy Bean, Shannon Stober of the Montana Office of Community Service

**Guests:** Gov. Brian Schweitzer (w/ Jag); Lt. Gov. John Bohlinger; Anna Whiting-Sorrell, Governor's policy advisor on children and families; Patti Keebler, Governor's Staff for Boards and Commissions; Kathryn Kountz, Human Rights Bureau Chief, DLI; Sheena Wilson, Governors Office, Asst. Chief of Staff; Sen. Ken Toole on behalf of the U.S. Civil Rights Commission, Rocky Mountain Region; Sidney Armstrong, public citizen; Beck Concilya

The meeting opened with introductions of all present, a brief orientation by Margaret MacDonald, and a time of community building led by Chair Kaufmann.

Gov. Brian Schweitzer stopped by to give the members his welcome and thanks for their service in this important work. He stressed his strong and deep commitment to inclusivity and to bring those who are marginalized to the center for participation in policy discussions.

Following community building the group was joined by a panel of guests led by Lt. Gov. John Bohlinger who emphasized the importance of the public interest in civil rights issues. He hopes that the Council can assist the administration in crafting strong messages of a new day in Montana of inclusivity and welcoming of all our diversity. He anticipates that the Council can make recommendations to the Administration for Legislation that will make the state more inclusive and welcoming to all people, particularly those who are frequently left out. He acknowledged that the political realities may prevent us from achieving all of our goals, but that we can work together to speak clearly for justice and inclusion. As an advisory council we will be in a position to communicate to the Governor and his staff, and to carry the vision of civil rights to our local communities. Council members can also help the Administration reach out to marginalized communities to bring good names forward for service in the public sector, boards and commissions that the Governor appoints. We want to present a consistent message on the issues from the Governors office. The suggestion was made that we might work with the Governors staff to develop some talking points that Council members could use when out in the community or speaking to civic groups.

Anna Whiting-Sorrell and Patti Keebler on the Governors staff each spoke on the importance of the work and their ongoing interest as the Council gets established and develops an action agenda.

Kathryn Kountz of the Human Rights Bureau presented a packet of information detailing the kinds of cases that come before that agency in employment, housing, education, and other areas where people can be victimized and harmed by discrimination. She noted that ten years ago sexual harassment cases were very much a problem, but that

employers now seem to understand their responsibilities in this area better and have adopted risk management policies and made changes to recognize the legitimacy of this problem. She did identify a growing problem with young workers in this area, because they are inexperienced and naïve, easily intimidated and preyed upon in the workplace. She also noted increasing incidence of failures to satisfactorily accommodate persons with disabilities in work place, educational and other important settings.

The HR Bureau works to encourage mediation as a first step in addressing complaints. She also described some significant settlements where complainants cases were supported by the investigation of discrimination.

The Human Rights Commission is an appellate body that reviews decisions appealed from the hearings officers of the Human Rights Bureau. When a complainant has been found to have a legitimate case, the state of Montana helps them to defend their civil rights through the subsequent processes.

The Advisory Council may wish to meet either before or after a Human Rights Commission meeting to foster some dialogue and exchange of issues of common concern with that body.

Ken Toole described the U.S. Civil Rights Commission and its work. Montana has an advisory council to that Commission. It usually focuses on a specific issue, such as Indian education in Montana, holds hearings and shines a light on the issue, garnering considerable public and press interest. It then will prepare a report on the topic. This cycle can often take 3-4 years from start to finish.

Chair Kaufmann suggested that the Advisory Council may wish to review a proposed resolution to the Board of Public Education addressing the inclusion of a school policy against bullying behaviors as a part of the Accreditation Rules. This is being opposed by some Montana organizations. The Lt. Gov. and the Governor have both spoken in support of proactive school policies stemming bullying in schools as an important preventive to violence and other negative outcomes. After discussion, the Council approved the resolution by general consent and authorized the Chair to present it to the Board of Public Education, contingent on review and approval by the Governor.

Discussion took place on how the Council should operate. Norms for conduct of business or formal bylaws will need to be established to provide for due order and procedures. This can be further discussed at the next meeting. Possible future topics might include: Insuring access to polling places for all persons with disabilities, the Governors' initiatives on culturally appropriate and effective corrections reforms for Native American youth and others.

Next meeting will be June 8, 11-3, with lunch served in the same location, if it is available.

Subsequent meetings in 2006 will be in September and November, dates not yet set.

Respectfully submitted,

Margaret MacDonald

